

### **REMARKS**

Amendments to the claims are presented above. Applicant respectfully requests reconsideration of this application.

#### **The objection to the disclosure should be withdrawn.**

Applicant respectfully traverses the objection to the disclosure under 37 CFR 1.71. There is nothing “incomprehensible” about the “specific aspects of the disclosure” as suggested by the Examiner. There is no further explanation required for how a handheld drill or a pressurized actuator could be used with the disclosed example embodiments.

In the case of the handheld drill, for example, it is immediately apparent to one skilled in the art that an individual using a handheld drill to cause rotation of an appropriate input member would simply support themselves on the platform 30 by standing up or kneeling upon it, for example. No further explanation is required for one skilled in the art to understand what is disclosed in the description.

With regard to the pressurized actuator, the description is clear that the moving mechanism 32' operates in a manner that the actuators 70 expand or contract in response to pressurized movement of the fluid. There is no further explanation required. One skilled in the art will immediately recognize how to implement such an arrangement. The objection to the disclosure should be withdrawn.

#### **The objection to the drawings should be withdrawn.**

There is no requirement for any further detail “essential for a proper understanding of the invention.” An example embodiment upon which the claims read is clearly shown in the drawings. There is no requirement for any further explanation or further drawings in this case. The objection should be withdrawn.

#### **Objections to the claims.**

Applicant has amended claim 18, 22 and 29 to address the issues raised by the Examiner on page 4 of the Office Action. Those objections can be withdrawn.

Applicant respectfully declines to take the Examiner's suggestion to change claim 25, 26, 30 and 31. Applicant's choice of the word “desired” is entirely consistent with the specification and the claims as originally filed. There is no need for any change in those claims. That objection should also be withdrawn.

**The rejection of claim 23 under 35 U.S.C. §112 should be withdrawn.**

Applicant has already explained that the pressurized actuator description is sufficient. There is no basis for a rejection of claim 23 under 35 U.S.C. §112. An Applicant does not need to provide a detailed parts list for all components in a disclosed embodiment. A conceptual rendering and straightforward description is sufficient where there are a variety of known components that can perform operations such as those described and claimed. Moreover, contrary to the Examiner's assertion that "the pressurized actuator...is neither described nor depicted," paragraphs [0028-0030] and Figure 5 discuss and depict an example embodiment including pressurized actuators 70. The rejection should be withdrawn.

**The rejection of claims 18-21, 23-24 and 30-31 under 35 U.S.C. §102 can be withdrawn.**

Applicant respectfully submits that the rejection under 35 U.S.C. §102 based upon the *Meiner* reference can be withdrawn. There is nothing in that reference that corresponds to a holding member that engages a vertical, flat surface of a guide rail as recited in each of Applicant's claims. Instead, that reference relies upon pins 5 (i.e., horizontally oriented surfaces that are not part of an elevator guide rail) for holding the platforms 2 and 4 in desired positions.

Additionally, the new claims presented above recite that the holding device is an elevator safety device. There is no such disclosure within the *Meiner* reference.

Applicant respectfully requests that the rejection under 35 U.S.C. §102 be withdrawn.

**The rejection of claims 22, 25-29 under 35 U.S.C. §103 can be withdrawn.**

Even if it made sense to combine the *Meiner* and *Nakada, et al.* references as suggested by the Examiner, there still is nothing corresponding to a holding device as recited in Applicant's claims and, therefore, there is no *prima facie* case of obviousness. Additionally, it is not possible to modify the arrangement of the *Meiner* reference in a manner to somehow attempt to render it consistent with Applicant's claims without removing an intended feature from that reference. For example, that would require removing the pins 5 and completely redesigning the structure that holds the platforms 2 and 4 in place along the ringed mill tower. Such a modification is not permitted for attempting to manufacture a *prima facie* case of obviousness as explained, for example, in MPEP 2143.01 (V) and (VI). Applicant respectfully submits that none of the claims can be considered obvious.

**Conclusion**

This case is in condition for allowance.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

David J. Gaskey, Reg. No. 37,139  
400 W. Maple Rd., Ste. 350  
Birmingham, MI 48009  
(248) 988-8360

Dated: December 9, 2009

N:\Clients\OTIS ELEVATOR\IP00115 PUS\PATENT\Response 12-09.doc